

**UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE**

THE PROCTER & GAMBLE COMPANY,

Plaintiff,

V.

C.A. NO. 04-940 (JJF)

TEVA PHARMACEUTICALS USA, INC.,

Defendant.

PLAINTIFF'S TRIAL EXHIBITS

Frederick L. Cottrell, III (No. 2555)
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Company*

Dated: November 17, 2006

Volume I

| Tab | Description | Bates Prefix | Bates Begin | Bates End | Teva's Objections |
|------------|--------------------------------------|---------------------|--------------------|------------------|---------------------------|
| JTX 1 | United States Patent No. 5,583, 122 | N/A | N/A | N/A | N/A |
| JTX 2 | File Wrapper for US Patent 5,583,122 | N/A | N/A | N/A | N/A |
| JTX 5 | United States Patent No. 4,761,406 | N/A | N/A | N/A | N/A |
| PTX 21 | Norwich R&D Report | PG | 22787 | 22823 | R [w/drawn 11/5/06], H |
| PTX 22 | TPTX and Schenk Summary Report | PG | 23091 | 23102 | H |
| PTX 44 | Norwich Biweekly Report | PG | 34070 | 34070 | H |
| PTX 59 | Special Report | PG | 45556 | 45570 | H |
| PTX 67 | Laboratory Notebook | PG | 53503 | 53549 | R [w/drawn 11/5/06], H, A |
| PTX 69 | Laboratory Notebook | PG | 53793 | 53896 | R [w/drawn 11/5/06], H, A |
| PTX 70 | Laboratory Notebook | PG | 53897 | 54059 | R [w/drawn 11/5/06], H, A |

Volume II

| Tab | Description | Bates Prefix | Bates Begin | Bates End | Teva's Objections |
|------------|--------------------------------------|---------------------|--------------------|------------------|---------------------------|
| PTX 72 | Laboratory Notebook | PG | 54314 | 54510 | R [w/drawn 11/5/06], H, A |
| PTX 80 | Toxicity Interim Report | PG | 56964 | 57018 | H |
| PTX 81 | Toxicity Interim Report | PG | 57030 | 57085 | H |
| PTX 82 | Toxicity Interim Report | PG | 57086 | 57146 | H |
| PTX 86 | Interim Report Memorandum | PG | 58346 | 58352 | R [w/drawn 11/5/06], H |
| PTX 87 | Geddes Memorandum | PG | 58353 | 58356 | R [w/drawn 11/5/06], H |
| PTX 109 | Proposal Memorandum | PG | 68065 | 68065 | H |
| PTX 116 | Osteoporosis Market Information | PG | 69014 | 69035 | H |
| PTX 117 | Interdepartmental Memorandum | PG | 73217 | 73220 | R [w/drawn 11/5/06], H |
| PTX 131 | Project Proposal Memorandum | PG | 77027 | 77033 | R [w/drawn 11/5/06], H |
| PTX 137 | Norwich Biweekly Report | PG | 77111 | 77111 | R [w/drawn 11/5/06], H |
| PTX 138 | Norwich Biweekly Report | PG | 77112 | 77112 | H |
| PTX 139 | Norwich Biweekly Report | PG | 77113 | 77113 | H |
| PTX 141 | Norwich Biweekly Report | PG | 77115 | 77115 | R [w/drawn 11/5/06], H |
| PTX 148 | New Diphosphonate Meeting Memorandum | PG | 78486 | 78507 | H |
| PTX 151 | Actonel Financial Information | PG | 78585 | 78599 | R [w/drawn 11/5/06], H, A |
| PTX 224 | Chart of Expenses | PG | 94413 | 94413 | H |

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R – Relevance (Fed. R. Evid. 401, 402)
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| Tab | Description | Bates Prefix | Bates Begin | Bates End | Teva's Objections |
|---------|------------------|--------------|-------------|-----------|--|
| PTX 230 | Actonel Brochure | PG | 95062 | 95091 | R [w/drawn 11/5/06], H [w/drawn 11/5/06] |
| PTX 231 | Actonel Brochure | PG | 95092 | 95122 | R [w/drawn 11/5/06], H [w/drawn 11/5/06] |

Volume III

| Tab | Description | Bates Prefix | Bates Begin | Bates End | Teva's Objections |
|---------|---|--------------|-------------|-----------|--|
| PTX 232 | Actonel Brochure | PG | 95123 | 95136 | R [w/drawn 11/5/06], H [w/drawn 11/5/06] |
| PTX 233 | Actonel Brochure | PG | 95137 | 95144 | R [w/drawn 11/5/06], H [w/drawn 11/5/06] |
| PTX 243 | Actonel Brochure | PG | 95255 | 95256 | R [w/drawn 11/5/06] |
| PTX 244 | Actonel Brochure | PG | 95257 | 95280 | R [w/drawn 11/5/06] |
| PTX 319 | Prescription Data | PG | 187876 | 187880 | H |
| PTX 320 | Prescription Data | PG | 187881 | 187885 | H |
| PTX 321 | Prescription Data | PG | 187886 | 187889 | H |
| PTX 322 | Publication - Mizik, Natalie and Robert Jacobson (2004), Are Physicians Easy Marks?: Quantifying the Effects of Detailing and Sampling on New Prescriptions, Management Science 50(12) | PG | 187890 | 187901 | R [w/drawn 11/5/06], H [w/drawn 11/5/06] |
| PTX 323 | Publication - Booth, Bruce and Rodney Zimmel, The Search for Blockbuster Drugs: Efficacy Isn't Everything", The McKinsey Quarterly, February 2006 | PG | 187902 | 187905 | H [w/drawn 11/5/06] |
| PTX 355 | Publication – Fleisch, Bone Resorption, Metastasis, and Diphosphonates, Monographs of The Mario Negri Institute for Pharmacological Research, Milan, Italy, based on a Symposium held June 1984, Garattini (ed.), Raven Press, New York, pp. 33-40 (1985) | PG | 191237 | 191244 | R [w/drawn 11/5/06], H [w/drawn 11/5/06] |
| PTX 356 | Publication - Shinoda et al., | PG | 191245 | 191257 | R [w/drawn |

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|---------|---|--------------|-------------|-----------|--|
| | Structure-Activity Relationships of Various Bisphosphonates, 35 Calcif. Tissue Int. 87-99 (1983)) | | | | 11/5/06], H [w/drawn 11/5/06] |
| PTX 428 | CV of Dr. Bilizikian | None | None | None | R [w/drawn 11/5/06], H |
| PTX 430 | CV of Dr. McKenna | None | None | None | R [w/drawn 11/5/06], H |
| PTX 432 | CV of Dr. Miller | None | None | None | R, H |
| PTX 434 | CV of Dr. Smith | None | None | None | R, H |
| PTX 460 | Publication: Fleisch, Drugs 42(6):919-944 (1991) | PG | 52271 | 52296 | R [w/drawn 11/5/06], H [w/drawn 11/5/06] |
| PTX 461 | Publication: Fleisch, Bisphosphonates in Bone Disease (1993) | PG | 63001 | 63073 | R [w/drawn 11/5/06], H [w/drawn 11/5/06] |

Volume IV

| Tab | Description | Bates Prefix | Bates Begin | Bates End | Teva's Objections |
|---------|---|--------------|-------------|-----------|--|
| PTX 464 | US Patent No. 4,013,644 | | (PX13) | | R [w/drawn 11/5/06], H [w/drawn 11/5/06] |
| PTX 465 | U.S. Patent 4,013,666 | | (PX14) | | R [w/drawn 11/5/06], H [w/drawn 11/5/06] |
| PTX 507 | Report by J.H. Powell for period ending 5/22/85 | PG | 77036 | 77036 | R [w/drawn 11/5/06], H |
| PTX 514 | Lab Notebook pages | PG | 191296 | 191318 | NP, I, R [w/drawn 11/5/06], H, A |
| PTX 516 | Lab Notebook pages | PG | 191356 | 191388 | NP, I, R [w/drawn 11/5/06], H, A |
| PTX 518 | Lab Notebook pages | PG | 191438 | 191446 | NP, I, R [w/drawn 11/5/06], H, A |
| PTX 519 | Lab Notebook pages | PG | 191447 | 191483 | NP, I, R [w/drawn 11/5/06], H, A |
| PTX 520 | Evista/Fosamax/Miacin/Didronel/Actonel/Forteo (SMM) Worldwide Sales Progression | PG | 288 | 289 | R, H |
| PTX 523 | Actonel: Integrated COMPASS | PG | 80415 | 80480 | R [w/drawn |

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|---------|--|--------------|-------------|-----------|------------------------|
| | Presentation; October – January, 2005 | | | | 11/5/06], H |
| PTX 531 | Special Products Group Memorandum | PG | 58398 | 58398 | R [w/drawn 11/5/06], H |
| PTX 532 | Amended Expert Report of Jesse David | N/A | N/A | N/A | |
| PTX 533 | Commercial Success: Economic Principles Applied to Patent Litigation | N/A | N/A | N/A | |
| PTX 534 | Intellectual Property by Leonard and Stohl | N/A | N/A | N/A | |
| DTX 42 | U.S. Patent 4,621,077 | N/A | N/A | N/A | N/A |
| DTX 134 | Dr. Lenz CV | N/A | N/A | N/A | N/A |
| P001 | Procter & Gamble Is the Owner of U.S. Patent No. 5,583,122 | N/A | N/A | N/A | N/A |
| P002 | '122 Patent, Claim 4 | N/A | N/A | N/A | N/A |
| P003 | '122 Patent, Claims 16 and 23 | N/A | N/A | N/A | N/A |
| P004 | Bone Remodeling | N/A | N/A | N/A | N/A |
| P005 | Unpredictability of the Structure-Activity Relationship | N/A | N/A | N/A | N/A |
| P006 | Obviousness Standard | N/A | N/A | N/A | N/A |
| P007 | Obviousness Standard | N/A | N/A | N/A | N/A |
| P008 | '406 Patent | N/A | N/A | N/A | N/A |
| P009 | Table III of '406 Patent | N/A | N/A | N/A | N/A |
| P010 | Proximal Femur | N/A | N/A | N/A | N/A |
| P011 | Bone Remodeling | N/A | N/A | N/A | N/A |
| P012 | An isolated Osteoclast Placed on a Piece of Bone and Maintained in Vitro | N/A | N/A | N/A | N/A |
| P013 | Architectural Changes in Osteoporosis | N/A | N/A | N/A | N/A |
| P014a | Human Costs of Osteoporosis | N/A | N/A | N/A | N/A |
| P014b | Human Costs of Osteoporosis | N/A | N/A | N/A | N/A |
| P015 | Bone Therapeutic Index of Etidronate (1:2 Ratio) | N/A | N/A | N/A | N/A |
| P016 | Osteomalacia Resulting from Long-Term Etidronate Treatment | N/A | N/A | N/A | N/A |
| P017 | Bone Therapeutic Index of Risedronate (>1:1000 Ratio) | N/A | N/A | N/A | N/A |
| P020 | Structure of Risedronate | N/A | N/A | N/A | N/A |
| P021 | Structure of 2-Pyr-EHDP | N/A | N/A | N/A | N/A |
| P022 | Dual Mechanisms of Action of Nitrogen-Containing Bisphosphonates | N/A | N/A | N/A | N/A |
| P023 | Bisphosphonate Binding to FPPS Enzyme | N/A | N/A | N/A | N/A |
| P024 | Bisphosphonate Binding to HAP on the Bone Surface | N/A | N/A | N/A | N/A |

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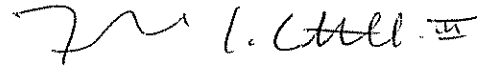
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|------------|---|---------------------|--------------------|------------------|--------------------------|
| P025 | Effect of Small Changes in Structure | N/A | N/A | N/A | N/A |
| P026 | Effect of Small Changes in Structure | N/A | N/A | N/A | N/A |
| P027 | Effect of Small Changes in Structure | N/A | N/A | N/A | N/A |
| P028 | Effect of Small Changes in Structure | N/A | N/A | N/A | N/A |
| P029 | Effect of Small Changes in Structure | N/A | N/A | N/A | N/A |
| P030 | Effect of Small Changes in Structure | N/A | N/A | N/A | N/A |
| P031 | Dramatic Differences in Potency Observed Among Bisphosphonates | N/A | N/A | N/A | N/A |
| P032 | Stereoisomers of Thalidomide | N/A | N/A | N/A | N/A |
| P033 | Pamidronate/Alendronate vs. Risedronate | N/A | N/A | N/A | N/A |
| P034 | Pyridyl Prior Art | N/A | N/A | N/A | N/A |
| P035 | Comparison of '406 and '122 Claims | N/A | N/A | N/A | N/A |
| P036a | BUN Summary Chart | N/A | N/A | N/A | N/A |
| P036b | TOX Screen NOEL vs. LED (ratio = NOEL/LED) | N/A | N/A | N/A | N/A |
| P037 | Schenk Assay | N/A | N/A | N/A | N/A |
| P038 | Thyroparathyroidectomy (TPTX) Assay | N/A | N/A | N/A | N/A |
| P039 | Relative Potency of 2-pyr EHDP vs. 3-pyr EHDP | N/A | N/A | N/A | N/A |
| P040 | Compared Efficacy and Safety of pyr-EHDPs | N/A | N/A | N/A | N/A |
| P041 | NERA Website: "Commercial Success: Economic Principles Applied to Patent Litigation." | N/A | N/A | N/A | N/A |
| P042 | Publication: "Economic Approaches to Intellectual Property, Policy, Litigation and Management." | N/A | N/A | N/A | N/A |
| P043 | Actonel® Market Share | N/A | N/A | N/A | N/A |
| P044 | Actonel® Estimated vs. Actual Prescriptions | N/A | N/A | N/A | N/A |
| P045 | Actonel® Schenk Test Data for 3-pyr EHDP | N/A | N/A | N/A | N/A |
| P046 | Actonel® Schenk Test Data for 2-pyr EHDP | N/A | N/A | N/A | N/A |
| PI 001 | Excerpt from Physician's Desk Reference | N/A | N/A | N/A | N/A |
| PC001 | Effects of Small Changes in Structure | N/A | N/A | N/A | N/A |
| PC002 | Effects of Small Changes in Structure | N/A | N/A | N/A | N/A |
| PC003 | Effects of Small Changes in Structure | N/A | N/A | N/A | N/A |
| PC004 | Claim 15 of the '406 Patent | N/A | N/A | N/A | N/A |

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CERTIFICATE OF SERVICE

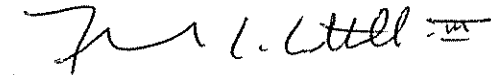
I hereby certify that on November 17, 2006, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF which will send notification of such filing (s) and

Hand Delivered to the following :

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Wilmington, Delaware 19899-0391

I hereby certify that on November 17, 2006, I have sent by Federal Express, the foregoing document to the following non-registered participants:

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Maria Luisa Palmese, Esquire
Anthony Pfeffer
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